

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GARY SILVERS and RICHARD)	
MAROUS <i>on behalf of themselves and</i>)	
<i>all others similarly situated,</i>)	
)	NO. 3:23-cv-00684
Plaintiffs,)	
)	JUDGE CAMPBELL
v.)	MAGISTRATE JUDGE FRENSLEY
)	
HCA HEALTHCARE, INC.,)	
)	
Defendant.)	

**ORDER GRANTING PLAINTIFFS' MOTION TO CONSOLIDATE ACTIONS AND
SET SCHEDULE FOR APPOINTMENT OF INTERIM CO-LEAD COUNSEL AND
FILING OF CONSOLIDATED CLASS ACTION COMPLAINT**

This matter, having come before the Court by the Plaintiffs in the above-captioned cases by their Motion to Consolidate Actions and Set Schedule for Appointment of Interim Co-lead Counsel and Filing of Consolidated Class Action Complaint (the "Motion") (Doc. No. 10), and the Court having reviewed the papers and for good cause shown, the Motion is **GRANTED** as set forth below:

1. The following cases ("Related Actions") are hereby consolidated:
 - *Silvers, et al. v. HCA Healthcare, Inc.*, Case No. 23-cv-684 (M.D. Tenn. filed July 12, 2023) ("*Silvers*").
 - *Crossman v. HCA Healthcare, Inc.*, Case No. 23-cv-688 (M.D. Tenn. filed July 12, 2023) ("*Crossman*").
 - *Aragon v. HCA Healthcare, Inc.*, Case No. 23-cv-696 (M.D. Tenn. filed July 14, 2023) ("*Aragon*").
 - *Rubinfeld v. HCA Healthcare, Inc.*, Case No. 23-cv-698 (M.D. Tenn. filed July 14, 2023) ("*Rubinfeld*").
 - *Sandstrom, et al. v. HCA Healthcare, Inc.*, Case No. 23-cv-707 (M.D. Tenn. filed July 17, 2023) ("*Sandstrom*").

- *Delapaz, et al. v. HCA Healthcare, Inc.*, Case No. 23-cv-718 (M.D. Tenn. filed July 19, 2023) (“*Delapaz*”).
- *Abramovic v. HCA Healthcare, Inc.*, Case No. 23-cv-719 (M.D. Tenn. filed July 19, 2023) (“*Abramovic*”).
- *Bowers v. HCA Healthcare, Inc.*, Case No. 23-cv-722 (M.D. Tenn. filed July 19, 2023) (“*Bowers*”).
- *Coats v. HCA Healthcare, Inc.*, Case No. 23-cv-723 (M.D. Tenn. filed July 20, 2023) (“*Coats*”).
- *Coleman v. HCA Healthcare, Inc.*, Case No. 23-cv-724 (M.D. Tenn. filed July 20, 2023) (“*Coleman*”).
- *Wallace v. HCA Healthcare, Inc.*, Case No. 23-cv-738 (M.D. Tenn. filed July 21, 2023) (“*Wallace*”).
- *Hayes v. HCA Healthcare, Inc.*, Case No. 23-cv-740 (M.D. Tenn. filed July 24, 2023) (“*Hayes*”).
- *Nelson v. HCA Healthcare, Inc.*, Case No. 23-cv-744 (M.D. Tenn. filed July 25, 2023) (“*Nelson*”).
- *B.W., et al. v. HCA Healthcare, Inc.*, Case No. 23-cv-748 (M.D. Tenn. filed July 25, 2023) (“*B.W.*”).
- *Simon, et al. v. HCA Healthcare, Inc.*, Case No. 23-cv-774 (M.D. Tenn. filed July 28, 2023) (“*Simon*”).

2. The Clerk of the Court is **DIRECTED** to administratively close all of the Related Actions except *Silvers*. Any initial case management conferences scheduled in the Related Actions are **CANCELLED** to be reset by the Magistrate Judge following entry of this Order.

3. All future filings in the Consolidated Action shall be filed under the lead case number 3:23-cv-00684, the number assigned to the first-filed case, *Silvers*, and shall bear the following caption:

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE**

IN RE: HCA HEALTHCARE, INC. DATA SECURITY LITIGATION))))	NO. 3:23-cv-00684 JUDGE CAMPBELL MAGISTRATE JUDGE FRENSELY
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4. The parties shall file a Notice of Related Action whenever a case that should be consolidated into this Consolidated Action is filed in, transferred to, or removed to this District.

5. When a subsequent Related Action, as described in Paragraph 4 is consolidated into the Consolidated Action, the Clerk of Court is **DIRECTED** to enter a copy of this order and administratively close that action.


6. All papers previously filed and served to date in the Related Actions, including subsequently filed Related Actions, are deemed part of the record in the Consolidated Action.

7. If Plaintiffs' counsel agrees to a leadership structure pursuant to Fed. R. Civ. P. 23(g)(3) within 10 days of the date of this Order, they shall file a single Motion for Appointment of Leadership Structure. If there is no agreement on a leadership structure, Plaintiffs' counsel will have 5 additional days to submit applications for Interim Co-Lead Class Counsel, each with a page limit of 5 pages plus 5 pages of attachments.

8. Plaintiffs in the Consolidated Actions shall file an operative Consolidated Class Action Complaint within 45 days of the Order Appointing Leadership. Defendant needs not respond to the pending complaints filed in the Related Actions.

9. Defendant's response to the Consolidated Class Action Complaint shall be due 45 days after the Consolidated Class Action Complaint is filed.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE